

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARTHUR WIGFALL, JR.,

Plaintiff,

- against -

THE CITY OF NEW YORK, POLICE
OFFICER William Butler, Shield No. 00691,
Unknown Commander of the 32nd Precinct,
in their individual capacities and in their
official capacities as employees of the City of
New York,

Defendants.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/12/16

13 Civ. 268 (PGG)

The jury hereby unanimously makes the following findings:

LIABILITY

Section 1983 – Excessive Force

1. Has Arthur Wigfall, Jr., proven, by a preponderance of the evidence, his Section 1983 excessive force claim against William Butler?

Yes _____ No _____

Assault Claim

2. Has Arthur Wigfall, Jr., proven, by a preponderance of the evidence, that he was subjected to assault by William Butler?

Yes _____ No _____

If “Yes,” has Arthur Wigfall, Jr., proven, by a preponderance of the evidence, that the City of New York should be held liable for the assault under the theory of respondeat superior?

Yes _____ No _____

Battery Claim

3. Has Arthur Wigfall, Jr., proven, by a preponderance of the evidence, that he was subjected to battery by William Butler?

Yes _____ No _____

If "Yes," has Arthur Wigfall, Jr., proven, by a preponderance of the evidence, that the City of New York should be held liable for the battery under the theory of respondeat superior?

Yes _____ No _____

If you answered "Yes" to any of Questions 1-3 above, you must proceed to answer Questions 4-6 below. If you answered "No" to each of Questions 1-3, the Foreperson should sign and date this form and tell the Marshal that the jury has reached a verdict.

DAMAGES

4. Has Arthur Wigfall, Jr., proven by a preponderance of the evidence that he is entitled to compensatory damages?

Yes _____ No _____

If "Yes," state the amount that should be awarded as compensatory damages:

\$ _____

If your answer to Question 4 is "Yes," proceed to Question 6. If your answer to Question 4 is "No," proceed to Question 5.

5. Has Arthur Wigfall, Jr., proven by a preponderance of the evidence that he is entitled to nominal damages in the amount of \$1?

(Note that if your answer to Question 1 is "Yes," your answer to Question 5 must be "Yes." If your answer to Question 1 is "No," and your answer to Question 2 or 3 is "Yes," you may answer Question 5 either "Yes" or "No.")

Yes _____ No _____

If your answer to Question 5 is "No," the Foreperson should sign and date this form and tell the Marshal that the jury has reached a verdict. If your answer to Question 5 is "Yes," proceed to Question 6.

6. Has Arthur Wigfall, Jr., established by a preponderance of the evidence that he is entitled to punitive damages from Defendant Butler?

Yes _____ No _____

If "Yes," state the amount that should be awarded as punitive damages:

\$ _____

After completing this form, the Foreperson should sign and date it, place it in an envelope, and inform the Marshal that the jury has reached a verdict.

Dated: _____

Signature of Foreperson